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HOUSE OF REPRESENTATIVES, JAN. 17, 1865.—Laid on the table and ordered to be printed.

[By the CHAIR.]

MESSAGE OF THE PRESIDENT.

RICHMOND, VA., Jan. 14, 1865.

To the House of Representatives:

In response to your resolution of the 8th November 1864, I herewith transmit, for your information, a communication from Hon. Howell Cobb, who was President of the Provisional Congress, relative to the preparation of copies of the Journals of that body, and of the Proceedings of the Convention which framed the Provisional and Permanent Constitutions of the Confederate States. And I invite your attention to the suggestions he makes in reference to funds to be expended in the further prosecution of the work.

JEFFERSON DAVIS.

COMMUNICATION FROM HON. HOWELL COBB.

HD. QRS. GA. RESERVES, AND MIL. DIST. OF GA.
Macon, Ga., December 17, 1864.

HON. JEFFERSON DAVIS, *President, &c., Richmond, Va.:*

SIR:

In response to a resolution of the House of Representatives of Congress of the 8th November last, asking for information in reference to the Journals, &c. of the Provisional Congress, &c., I beg leave respectfully to report:

In compliance with that resolution, I employed Mr. J. J. Hooper, Clerk of the Provisional Congress, to do the work. The papers were already in his possession; and I regarded him, under the circumstances, as the most suitable person to undertake it. In a short time he died, leaving the work almost untouched, and the papers scattered, and difficult of access. I then employed Major John C. Whitner of West Point, Alabama, a most faithful and competent person, who immediately entered upon the discharge of the duty, and who has devoted his time earnestly to the business from that period to the present time. I herewith enclose his report, which is so full and satisfactory, that it is unnecessary for me to add any thing by

way of explanation of the causes which have led to the delay in completing the work.

I would respectfully call the attention of Congress to the fact, that Major Whitner has, up to this time, received no compensation for his services, and has in fact advanced money from his own funds for necessary expenditures. I would recommend that the amount, which he returned to the Treasury of the old issue, be at once placed in his hands, and that an additional appropriation of twenty thousand dollars be made to complete the work. This sum is indicated, without consultation with Maj. Whitner; and it may not be sufficient, in view of the present high prices; but at present I will not ask for a larger sum. I would also recommend that the other requests of Maj. Whitner should be complied with by Congress, as they are both reasonable and proper.

It is but simple justice to myself to state, that before and since the adjournment of the Provisional Congress, I have been in the constant military service of the country, and therefore had no time to give the business my personal attention. It is at the same time due to Major Whitner to say that he has spared no effort or pains to do the work as rapidly as circumstances beyond his control would admit. I am sure that I could not have procured the services of a more faithful or competent officer.

I am, very respectfully, yours, &c.

HOWELL COBB,
President of the Provisional Congress.

REPORT OF MAJOR WHITNER.

AUGUSTA, GA., November 18, 1864.

GENERAL:

In compliance with the resolution adopted by the House of Representatives on the 8th instant, which you have referred to me, asking the President to "inform Congress whether the Hon. Howell Cobb, President of the Provisional Congress, has complied with the act of 17th February 1862, by which he was instructed to have prepared two copies of the Journals of Congress, and the Proceedings of the Convention which framed the Provisional and Permanent Constitutions of the Confederate States, one copy of which was to be deposited in the office of the Department of Justice; and if not, to communicate to Congress any information he may have as to the present state of the work; also whether the originals of the Journals have been sealed and deposited for preservation with the Secretary of State, in accordance with law,"—I have the honor to make the following statement:

As soon as I received the boxes containing the papers belonging to the Provisional Congress, I entered upon the work of complying

with the law above referred to. Much matter, as I have before informed you, was missing—all, or nearly all the Journals of the Convention, and many important papers forming a part of the Journals, as well as some of the Journals themselves of the Congress. It was some time before any of these could be found; and for securing them at all, I am indebted to the cordial assistance rendered by Messrs. Robert E. Dixon and A. R. Lamar, both at one time connected with the Provisional Congress as assistant clerks. Mr. Dixon informed me that he himself, as clerk, had copied the Proceedings of the Convention in a bound book, which, however, could not be found. Fortunately, he had preserved in his possession the originals from which this copy was made, only a few being missing. These missing Journals he was doubtless prevented from sending to me by his sudden death; and it has been but comparatively recently that I have gotten possession of them.

Many papers, such as messages, reports, resolutions, treaties, memorials, communications, petitions, &c., referred to and forming a part of the regular proceedings of Congress, and which had probably been slightly attached or only placed within the leaves of the original Journals, could not be found amongst the papers in the boxes sent me. Through the courtesy and labor of the gentlemen above mentioned and others, I hope the most if not all have been gathered up. Only in one case so far, and that not important, have I failed to get the original paper referred to, or an authentic copy. Many of these papers also were gathered up by Mr. Dixon, and were in his possession at the time of his death, and have since been secured through the courtesy of his family and friends.

The cause of the confused and scattered condition of these papers, I cannot explain. The lamented death of Hon. J. J. Hooper, to whom the work was first committed, together with the general confusion then existing in Richmond, in consequence of the near approach of the enemy, and the sending off to other points important government papers, had doubtless much to do with it. Mr. Hooper had but barely entered upon this work—possibly not long enough to gather up what was necessary for its accurate completion.

These matters have delayed me very much—far more than would at first appear. For instance, whilst writing any day's proceedings, I find an important document referred to missing. A thorough search through all the mass in my possession shows it is not on hand. Not knowing its length, it is impossible for me to leave room for it. I must therefore necessarily delay further copying until that paper is found, which may be at Richmond or elsewhere. This occurring frequently and involving in some cases months of search, I have been delayed in a most annoying manner. I endeavored to procure assistance at first; but unable to furnish exemption, no one would remain with me. And but for the voluntary aid of Messrs. Dixon and Lamar and other gentlemen, I don't see how I could have gotten on.

Another cause of delay has been the recent movements of the enemy. As you directed me to take good care of these papers, I left Atlanta about a month before its fall, and went to West Point.

Hearing of a threatened raid upon that place, I went further down into Alabama, and was surrounded and cut off by Rosseau's raid. Fortunately, every thing escaped, and I have all in safety here.

You placed in my hands $2,000. Of this I expended $370 for materials. The remainder, $1,630, I deposited with J. W. Duncan, Depositary in Atlanta, about the last of March, in order to have it exchanged for new currency, and sent the certificate on to the Secretary of the Treasury, but never received any order on the Depositary for the amount in new issue. I would respectfully ask your attention to this, as I have had to use my own means in paying expenses.

I have written up a portion of the Proceedings of the Convention, and two-thirds of the Journals of Congress, both open and secret. If not interrupted, I will soon complete one copy; which will enable me to deposit the originals, as required by law, and then rapidly work up the other copy. I trust all missing papers have been secured necessary to the accuracy of the work.

I would respectfully call your attention to the fact, that I have been working on this business over a year, and have received no compensation, nor do I know what I am to receive. I would request a fixed pay, and a return of amounts already expended.

As you are aware, I have frequently been interrupted by the military, though through your influence have generally been relieved. Once, however, I had to submit to examination and discharge for physical disability by a board of conscript surgeons. I beg you would secure for me from congress special exemption whilst engaged on this work, with privilege of going to places of safety from those threatened by the enemy. The importance of this must be apparent, both for the security of the work and its early completion. If possible, I would like to have the appointment of an assistant, and would recommend Clinton I. Brown, Esq., who has already given me voluntary aid; has been pronounced unfit for field service, and would add no expense whatever to the government. This would enable me to proceed more rapidly, and at the same time have the originals arranged preparatory to early turning them over to the government.

It is impossible to express my deep concern to have this work finished, and thus be relieved of so cumbrous, and at the same time important responsibility. You have repeatedly urged upon me the importance of its early completion; yet I have not hesitated to take time for gathering all important materials, believing that a full and accurate record of its proceedings was the first object aimed at by the Provisional Congress. To secure this, delays have been unavoidable; but I think they will not occur again.

I have the honor to be

Your ob't servant,

JNO. C. WHITNER.

GEN. HOWELL COBB, *Macon, Ga.*

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